



7020-02

INTERNATIONAL TRADE COMMISSION

Investigation No. 337-TA-1061

Certain Bar Code Readers, Scan Engines, Products Containing the Same, and Components Thereof; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 23, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Honeywell International, Inc. of Morris Plains, New Jersey; Hand Held Products, Inc. d/b/a Honeywell Scanning & Mobility of Fort Mill, South Carolina; and Metrologic Instruments, Inc. d/b/a Honeywell Scanning & Mobility of Fort Mill, South Carolina. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain bar code readers, scan engines, products containing the same, and components thereof by reason of infringement of certain claims of U.S. Patent No. 6,832,725 (“the ’725 patent”); U.S. Patent No. 8,511,572 (“the ’572 patent”); U.S. Patent No. 7,148,923 (“the ’923 patent”); U.S. Patent No. 7,527,206 (“the ’206 patent”); U.S. Patent No. 8,646,692 (“the ’692 patent”); and U.S. Patent No. 9,323,969 (“the ’969 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Katherine Hiner, the Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2017).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on June 21, 2017, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain bar code readers, scan engines, products containing the same, and components thereof by reason of infringement of one or more of claims 1 and 4-6

of the '725 patent; claims 1-4, and 6-10 of the '572 patent; claims 1-6, 8, 10-12, and 19-33 of the '923 patent; claims 1, 3, 6-11, 14, 17-20, 23, and 26-28 of the '206 patent; claims 1-3, 5, 7-12, 14, 16-20, 22, 24-27, 30, and 32 of the '692 patent; and claims 1-3, 5, 6, 8-11, and 13 of the '969 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Honeywell International, Inc.

115 Tabor Road

Morris Plains, NJ 07950

Hand Held Products, Inc.

d/b/a Honeywell Scanning & Mobility

9680 Old Bailes Road

Fort Mill, SC 29707

Metrologic Instruments, Inc.

d/b/a Honeywell Scanning & Mobility

9680 Old Bailes Road

Fort Mill, SC 29707

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

The Code Corporation
12383 South Gateway Park
Suite 600
Draper, UT 84020

Cortex Pte Ltd.
1003 Bukit Merah Central #04-36
Inno Center
Singapore 159836

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the

Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: June 21, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-13368 Filed: 6/26/2017 8:45 am; Publication Date: 6/27/2017]